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Attorneys for Defendants FORTY NINERS FOOTBALL
COMPANY LLC, FORTY NINERS SC STADIUM
COMPANY LLC, FORTY NINERS STADIUM
MANAGEMENT COMPANY LLC, CITY OF SANTA
CLARA and SANTA CLARA STADIUM AUTHORITY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ABDUL NEVAREZ, PRISCILLA
NEVAREZ, and SEBASTIAN
DEFRANCESCO, on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

FORTY NINERS FOOTBALL
COMPANY, LLC, a Delaware limited
liability company; FORTY NINERS SC
STADIUM COMPANY, LLC, a
Delaware limited liability company;
NATIONAL FOOTBALL LEAGUE;
CITY OF SANTA CLARA; SANTA
CLARA STADIUM AUTHORITY;
TICKETMASTER ENTERTAINMENT,
INC.; FORTY NINERS STADIUM
MANAGEMENT COMPANY LLC; and
DOES 1-10, Inclusive,

Defendants.

Case No. 4:16-cv-07013-HSG

**STIPULATION AND ORDER REGARDING
EXTENSION OF TIME FOR INJUNCTIVE
RELIEF FOR CITY OF SANTA CLARA
PEDESTRIAN RIGHTS OF WAY
REMEDiation**

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THIS STIPULATION is hereby entered into by and between Plaintiffs Abdul Nevarez, Priscilla Nevarez, and Plaintiff Sebastian DeFrancesco on behalf of themselves and all others similarly situated (collectively, “Plaintiffs”), and Defendants Forty Niners Football Company LLC, Forty Niners SC Stadium Company LLC, Forty Niners Stadium Management Company LLC (collectively, the “Forty Niners”), the City of Santa Clara, and the Santa Clara Stadium Authority (collectively, “Santa Clara,” and with Plaintiffs and the Forty Niners, the “Parties”), by and through their respective counsel of record, as follows:

WHEREAS, on July 23, 2020, this Court issued an order granting final approval of the settlement in this case [ECF 416] in which the Court directed the parties to implement the settlement according to its terms and provisions;

WHEREAS, the settlement agreement [ECF 375-2] specifies certain injunctive relief to be undertaken by the Defendants in connection with remediation of alleged access barriers at Levi’s Stadium, its parking lots, and certain pedestrian rights of way;

WHEREAS, the COVID-19 pandemic has had a significant impact on all aspects of normal business across all spectrums, including construction, material sourcing, public entity planning and review, and employee absenteeism, and other construction and permitting challenges arose;

WHEREAS, Santa Clara has not previously requested an extension of time to perform remediation in the pedestrian rights of way; and

WHEREAS, prior to entering into this stipulation, Santa Clara and Plaintiffs’ counsel met and conferred regarding this requested extension, and the parties agreed that Plaintiffs will not agree to a further extension and Santa Clara does not expect to request an additional extension.

NOW, THEREFORE, IT IS HEREBY STIPULATED as follows:

Subject to the Court’s approval, the Parties agree the deadline related to remediation work to be performed by Santa Clara in the pedestrian rights of way as identified on Exhibit I [ECF 375-14] is extended to January 24, 2024.

1 **IT IS SO STIPULATED.**

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3 Dated: May 30, 2023

Respectfully submitted,

4 PEIFFER WOLF CARR KANE & CONWAY

5 /s/ Catherine M. Cabalo

6 Catherine M. Cabalo

7 Attorneys for Plaintiffs and the Certified Classes

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9 Dated: May 30, 2023

RANKIN, SHUEY, RANUCCI, MINTZ,
LAMPASONA & REYNOLDS

10 /s/ Maria M. Lampasona

11 Maria M. Lampasona

12 Attorneys for Defendants

13 FORTY NINERS FOOTBALL COMPANY LLC,
14 FORTY NINERS SC STADIUM COMPANY LLC,
15 FORTY NINERS STADIUM MANAGEMENT
16 COMPANY LLC CITY OF SANTA CLARA,
17 SANTA CLARA STADIUM AUTHORITY

18 **SIGNATURE ATTESTATION**

19 The e-filing attorney hereby attests that concurrence in the content of the document and
20 authorization to file the document has been obtained from each of the other signatories indicated
21 by a conformed signature (/s/) within this e-file document.


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28 Dated: May 30, 2023

/s/ Maria Lampasona

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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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3 Dated: 6/5/2023

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Hon. Haywood S. Gilliam, Jr.
United States District Judge

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